

GOAT CANYON ENHANCEMENT PROJECT

Agenda Item 3.

January 24, 2002

COASTAL CONSERVANCY

Project Summary

January 24, 2002

GOAT CANYON ENHANCEMENT PROJECT

File No. 97-022

Project Manager: Jim King

RECOMMENDED ACTION: 1) Adoption of the Goat Canyon/Cañon de los Laureles Enhancement Plan; 2) approval of the Goat Canyon Enhancement Project as described in the Goat Canyon Enhancement Project Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS); 3) authorization to disburse up to \$5,105,700 to the California Department of Parks and Recreation to construct the project; and 4) authorization to disburse additional funds up to \$100,000 to Southwest Wetlands Interpretive Association to complete final engineering plans and obtain project permits needed for construction.

LOCATION: Border Field State Park, Tijuana River National Estuarine Research Reserve, southern San Diego County (Exhibit 1)

PROGRAM CATEGORY: Resource Enhancement

ESTIMATED COST:	Proposed Coastal Conservancy	\$5,000,000
	(Source: Southern California Wetlands Recovery Project)	
	CA Dept. of Parks and Recreation	1,200,000
	City of San Diego	105,700
	(held in trust by Coastal Conservancy)	
	Nat'l Oceanographic and Atmospheric Admin.	<u>300,000</u>
	Total:	\$6,605,700

PROJECT SUMMARY: The Coastal Conservancy, the Southwest Wetlands Interpretive Association (SWIA) and the California Department of Parks and Recreation (DPR) began planning for the Goat Canyon Enhancement Project in 1997 in response to a dramatic loss of wildlife habitat and public access from recurring flash floods in the state's southernmost coastal wetlands (Exhibits 1 & 2). Goat Canyon's 4.6-square-mile watershed is divided by the international border and is severely disturbed. The project area is

within Border Field State Park and the Tijuana River National Estuarine Research Reserve (Reserve) and lies directly upstream of a 500-acre intertidal wetland restoration area identified by the Conservancy and partner organizations in the early 1990s (Exhibit 2). In recent years floods have devastated riparian areas, smothered saltmarsh, and routinely disrupted access in the area. Though the watershed drains directly into saltmarshes in the south arm of Tijuana Estuary in the United States, 90 percent of the watershed lies in Mexico where it is known as Cañon de los Laureles (Exhibit 3). This watershed is literally hemorrhaging sediment.

The Goat Canyon Enhancement Project lies entirely within the United States and its primary feature is a set of sediment management basins that lie within the floor of the canyon just downstream of the international border (Exhibit 4). However, SWIA's enhancement plan has two distinct parts, U.S. and Mexican (Exhibit 5). Whereas in the U.S. the focus of the plan is the construction of structures to provide a means of containing and managing sediment-laden floodwaters, the plan's Mexican component gives guidance for sediment source control, including specific recommendations for revegetating and stabilizing denuded slopes.

The jurisdictional problems associated with all watersheds are magnified by the international border. Yet, enhancement plan preparation involved consultation with key Mexican interests and the plan was printed in Spanish and distributed in Mexico where it was well received. Though its work has been focused on the proposed construction, SWIA and research reserve staff have made the enhancement plan's stewardship concepts a central feature of the Reserve's developing binational outreach program. A sustained long-term effort in both Mexico and the United States will be required to begin controlling sediment at its source.

Human activity in the watershed and the damaging flash floods that arise from it, have resulted in a dynamic and complex planning environment at the downstream terminus of the creek. Despite the severe damage that has occurred here, these lowlands are predominately designated as Waters of the United States (Clean Water Act, Section 404) and include critical habitat for several species including the federally-listed endangered least Bell's vireo. Extensive consultations between project engineering and design staff, impact analysts, and state and federal regulatory agencies were conducted to assure that the project is one which has the least possible damaging effect on

the environment. This interaction will continue through the permitting phase of the project where mitigation designs and monitoring associated with the project will be further refined. The recommended preferred alternative carefully integrates sediment management basins with prudent road and trail improvements that assure public access to the state's southernmost beach. Unavoidable impacts associated with the project that are deemed significant are fully mitigated in the general project area.

The Conservancy provided a means for examining options to address serious habitat loss at Goat Canyon and adjoining areas when it authorized SWIA to prepare an enhancement plan for the area in 1997. Once basic concepts were developed, project planning has proceeded according to a 1998 Interagency Agreement between DPR and the Coastal Conservancy and a 1999 Memorandum of Understanding involving the two agencies and SWIA. The three organizations and the National Oceanographic and Atmospheric Administration have jointly developed the challenging project, and DPR is prepared to construct it in the fall of 2002.

The principal milestone for implementing the project has been reached: Staff now recommends adoption of the Goat Canyon/Cañon de los Laureles Enhancement Plan and disbursement of \$5,105,700 to the Department of Parks and Recreation to construct the project. Staff further recommends disbursement of an additional \$100,000 to SWIA to complete final engineering plans and to obtain permits required for construction.

COASTAL CONSERVANCY

Staff Recommendation

January 24, 2002

GOAT CANYON ENHANCEMENT PROJECT

File No. 97-022

Project Manager: Jim King

STAFF

RECOMMENDATION: Staff recommends that the State Coastal Conservancy adopt the following Resolution pursuant to Sections 31251-31270 of the Public Resources Code:

“The State Coastal Conservancy hereby: (1) approves the Goat Canyon Enhancement Plan, attached as Exhibit 5 to the accompanying staff recommendation; (2) approves the Goat Canyon Enhancement Project as described in the Final Environmental Impact Report/Environmental Impact Statement (“EIR/EIS”), attached as Exhibit 6 to the accompanying staff recommendation; (3) authorizes the disbursement of five million one hundred five thousand seven hundred dollars (\$5,105,700) to the California Department of Parks and Recreation (DPR) to construct the Goat Canyon Enhancement Project; and (4) augments its related August 26, 1999, May 25, 2000, and January 25, 2001 authorizations to disburse funds to the Southwest Wetlands Interpretive Association (SWIA) by an amount not to exceed one hundred thousand dollars (\$100,000) to complete final engineering plans and obtain project permits needed for construction. This authorization is subject to the following conditions:

1. Prior to disbursement of construction funds to DPR, the Goat Canyon Enhancement Plan shall be determined by the Coastal Commission to be in accord with policies and objectives of the Coastal Act; and
2. Prior to disbursement of construction funds to DPR, DPR shall submit for the written approval of the Executive Officer of the Conservancy:
 - a. A final work program, project budget, and schedule;

- b. The names and qualifications of any contractors or subcontractors that DPR intends to employ to construct the project;
- c. Evidence that all necessary permits and approvals for the project have been obtained; and
- d. A signing program identifying the Conservancy's assistance."

Staff further recommends that the Conservancy adopt the following findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The Conservancy has independently reviewed and considered the information contained in the Final EIR/EIS prior to approving the Goat Canyon Enhancement Project pursuant to its responsibilities under 14 California Code of Regulation Section 15096. The Final EIR/EIS identified potential significant impacts from the project in the areas of water quality, biological resources, cultural resources, air resources, noise, recreational resources and public safety;
2. Changes or alterations in the Goat Canyon Enhancement Project avoid, reduce or mitigate the possible significant environmental effects on water quality, biological resources, cultural resources, air resources, noise, recreational resources and public safety to a level of insignificance;
3. The pre-construction engineering and design phase of the Goat Canyon Enhancement Project remains consistent with the authorizations of the Conservancy on August 6, 1999, May 25, 2000 and January 25, 2001;
4. The Goat Canyon Enhancement Project is consistent with the purposes and criteria set forth in Chapter 6 of Division 21 of the Public Resources Code (31251-31270), regarding enhancement of coastal resources;
5. The Goat Canyon Enhancement Project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001; and
6. The Goat Canyon Enhancement Project is consistent with the Conservancy's role and responsibilities detailed in the Tijuana River National Estuarine Research

Reserve Management Plan previously adopted by the Conservancy in August 1999.”

STAFF DISCUSSION:

Project Description: The Goat Canyon Enhancement Project provides for construction of a set of off-stream sediment management basins within the valley floor of Goat Canyon, trail improvements, and reconstruction of the damaged entrance road to Border Field State Park. The final environmental assessment prepared pursuant to the National Environmental Policy Act and the California Environmental Quality Act was adopted by the California Department of Parks and Recreation (DPR) on January 16, 2002, as lead agency under CEQA. The EIR/EIS assesses the purpose and need of the proposed project, alternatives for achieving project objectives, and the potential environmental effects of the project. Its potential significant impacts, mitigation, and level of significance after mitigation are discussed below and described in Table I of the EIR/EIS, pp. S-30–S-36 (Exhibit 6).

Sediment management facilities are the key feature of the project. These substantial structures are needed because of the unusual level of watershed damage that has led to the flood and sediment flows that are now characteristic of the creek. They include an in-canyon diversion structure that transitions to a flow-through sedimentation basin system. This consists of two basins in series located on a terrace above the creek’s flood plain (Exhibit 4). The diversion structure contains a low flow outlet that would convey a portion of the Goat Canyon Creek discharge through a pipe into the existing downstream channel to sustain wetland vegetation along its edge. The two in-line sedimentation basins would be constructed by excavating material to an average depth of approximately nine feet below the existing ground and constructing a berm averaging eight feet above existing ground. Basin design includes a staging and loading area and truck hauling route to accommodate regular sorting and processing of material for removal from the site.

The project also includes widening and elevating a segment of Monument Road, Border Field State Park’s entrance road through the flood-ravaged area, to provide more reliable access to the ocean. A multi-purpose trail would be constructed parallel to the road linking the park entrance to an existing beach access trail, ½ mile to the west. A visual screening berm would be constructed to screen the sediment management facilities

from viewers entering Border Field State Park. The berm would reach a maximum of 20 feet and would be vegetated with coastal sage scrub vegetation. The southernmost portion of the road, traversing a critical saltmarsh area, would be resurfaced and maintained at its current scale to avoid impacts to sensitive species.

The project was planned with the highest regard for minimizing additional human impact to the environment and the alternative selected is the least damaging. Sediment management basins are sited in the floor of Goat Canyon rather than in the creek's downstream floodplain, greatly reducing the impacts that are associated with other alternatives and the aesthetic impact of the necessarily large structures. Yet the project has unavoidable environmental effects. These have been largely addressed through alterations in project design and construction approach. Mitigation actions discussed below reduce all potential significant impacts beyond a level of significance.

Extensive hydrological, biological, and groundwater surveys were conducted because of the site's original habitat diversity and its remnant values, the presence of nesting populations of the endangered least Bell's vireo, and the dynamic environmental changes occurring in the area. The alternative selected would be constructed primarily within areas of recent human activity and disturbance. Concerns about the sensitivity of the least Bell's vireo to construction-related noise and activity results in the most substantial mitigation measure for the project: a restricted 5½-month construction season beginning September 1 and closing February 15.

With selection of the least-impacting project alternative, construction will occur largely on lands classified as ruderal/disturbed habitat with potentially significant biological impacts at the 38-acre site reduced to the following: 0.53 acre of southern willow scrub, 6.24 acres of mulefat scrub, 0.42 acre of mulefat elderberry scrub, 0.68 acres of maritime succulent scrub, and 0.16 acre of southern mixed chaparral. These impacts will be mitigated according to federal, State, and City of San Diego guidelines, generally at a 3:1 mitigation ratio. DPR adopted a Mitigation Monitoring and Reporting Program (MMRP) for the project as CEQA lead agency that includes establishing the specific habitat types identified above and extensive post-construction monitoring. Habitat to be developed for project mitigation will occur on public land in the immediate vicinity of the project.

A particular project concern addressed in the impact analysis is the expected reduction of surface flows for the flood-ravaged alluvial fan of the creek, its potentially significant effect on the riparian vegetation there, and subsequent impacts on the breeding populations of the endangered least Bell's vireo. Though the project makes provisions for a low-flow channel in the upper reaches of the project area, the fate of existing vegetation in the lower alluvial fan area can not be certain. Much of the riparian habitat in the area developed under artificial conditions related to sewage flows from a chronically malfunctioning Mexican pumping plant just across the border in Cañon de los Laureles. Now that the sewage flows have been reduced, some of the vegetation is in decline. The situation is further confounded by a decline in the depth of groundwater, further fueling concerns about the de-watering effects of the project on riparian vegetation and the least Bell's vireo. DPR and the National Oceanographic and Atmospheric Administration (NOAA) will develop additional agreements with the U.S. Fish and Wildlife Service and California Department of Fish and Game under the Endangered Species Act that refines the MMRP to assure that the project does not inadvertently effect riparian vegetation and the least Bell's vireo and to develop action plans in the event that it does.

Additional construction-year biological surveys will be conducted in the spring of 2002 in association with State and federal Endangered Species Act consultations. These will include additional nesting surveys for the endangered vireo and surveys for several rare plants once found in the San Diego region. This work will be carried out by SWIA as a part of its service in preparing the project for construction.

Three prehistoric cultural sites eligible for registration under the National Historic Preservation Act (NHPA) were found in the project area. SWIA will assist DPR in preparing a discovery plan and developing acceptable contingency plans for the likely event that additional prehistoric artifacts are discovered. DPR will perform construction monitoring and, if appropriate, recovery efforts according to CEQA and NHPA guidelines. Additional potentially significant effects in the areas of water quality, air resources, recreational resources, and public safety are mitigated through changes or alterations in project design to a level of insignificance (see Exhibit 6, EIR/EIS Table I, pp. S-30–S-37 and Comments and Responses, Appendix D).

With the adoption of the project EIR/EIS, SWIA will continue its work to expedite all local, State, and federal regulatory

agreements necessary for project construction, including substantial local government review by the City of San Diego. This effort is expected to culminate with SWIA integrating permit conditions with construction specifications in a timely manner so as to allow for project construction to begin in September 2002.

Project Financing: Staff recommends that the Conservancy authorize \$5,105,700 to California Department of Parks and Recreation toward a total construction budget of \$6,605,700. The sum includes \$5,000,000 from the Conservancy's FY 2000/01 Southern California Wetlands Recovery Project budget allocation and \$105,700 of City of San Diego funds held in trust by the Conservancy resulting from an agreement related to the City's use of habitat lands in the project area as a staging area for construction of the South Bay Ocean Outfall Project. Staff's recommendation includes funding to provide for the project's extensive post-construction monitoring and other enhancements anticipated to arise from Endangered Species Act consultations and the project permitting process. The proposed construction funding includes:

Construction Funding (proposed)

SCC Wetlands Recovery Project	\$5,000,000
CA Dept. of Parks and Recreation	1,200,000
Nat'l Ocenographic & Atmospheric Admin.	300,000
City of San Diego (held in trust by SCC)	<u>105,700</u>
Total:	\$6,605,700

Staff recommends that the Conservancy further augment its funding to Southwest Wetlands Interpretive Association by \$100,000 to provide SWIA with contingency funds to assure the timely completion of final engineering plans, project permits, and related technical services required to bring the project to construction September 1, 2002.

Construction Planning Funds (prior authorizations)

August 6, 1999 Conservancy authorization	\$ 400,000
May 25, 2000 Conservancy augmentation	100,000
January 25, 2001 Conservancy augmentation	452,000
May 21, 2001 Executive Officer's augment.	<u>142,800</u>
Total:	\$1,094,800

Site Description: Goat Canyon lies at the U.S./Mexico border approximately one mile inland of the Pacific Ocean within Border Field State Park and the Tijuana River National Estuarine Research Reserve. Approximately three-fourths of the 4.6-square-mile watershed lies within the Ciudad de Tijuana, Baja California, Mexico (Exhibits 1 and 6).

Project History: SWIA completed the Goat Canyon Enhancement Plan in 1999, two years after funds were provided for the planning effort. To further develop the project over the past 2½ years, SWIA coordinated extensive assessments of watershed hydrology, erosion and sedimentation characteristics, and biological factors to set the foundation for project design. Significant prehistoric sites were found to exist in the project area, presenting an additional focus for project planning and extensive documentation requirements.

Nutrient-rich Mexican sewage flows contributed to the development of a lush willow-dominated riparian habitat in Goat Canyon in the 1980s. Rapid development in Mexico in the 1990s brought new imbalance to Goat Canyon as sediment filled the historic streambed and floods ravaged the area. Downstream saltmarsh and tidal channels were covered with mud and permanently altered. Much of the lower Goat Canyon watershed now covered with sediment, debris, and exotic weeds was once pristine wetland habitat at the freshwater/saltwater interface. Recurring sewage flows, flooding, and sedimentation have damaged or destroyed these habitats leaving fragmented habitat areas and a complex biological community. Within this changing milieu came notable new residents: nesting populations of the endangered least Bell's vireo.

Binational watersheds by their very nature pose unique analytical problems because of differing data standards, data gaps, and differing land uses. The dynamic ecological change found in Goat Canyon and its human-induced causes presented additional planning challenges, particularly relating to State and federal Endangered Species Act concerns. These factors and the area's prehistoric sites had a profound effect on the development of the project.

The Goat Canyon Enhancement Project is an important component of the Conservancy's work in the U.S/Mexico border region, particularly as its construction is needed to protect the downstream saltmarsh restoration area identified by the Conservancy in 1992 and dedicated by the Reserve as Friendship Marsh in 2000. Twenty-two acres of intertidal wetlands were

created in 1997-2000 under the Tijuana Estuary Tidal Restoration Program (TETRP, Exhibit 2). The Goat Canyon Enhancement Project is a high priority for the Southern California Wetlands Recovery Project. The 1992 TETRP environmental assessment identified Goat Canyon sediment control as essential to securing the south arm of the estuary from chronic sedimentation and to allow for up to 500 acres of wetland restoration there. The planning of TETRP's second phase, Friendship Marsh, is now underway with support from the Southern California Wetlands Recovery Project after authorization by the Conservancy in the summer of 2001.

A coordinated effort by the staff of the Coastal Conservancy, the Coastal Commission, and Imperial Beach activists led to the designation of the Tijuana River National Estuarine Research Reserve by the National Oceanographic and Atmospheric Administration in January 1982. The Conservancy has provided consistent leadership at Tijuana Estuary for the subsequent 20 years, particularly in coordinating its restoration program. Its key partners in this work have included the SWIA, San Diego State University's Pacific Estuarine Research Laboratory, the U.S. Fish and Wildlife Service, and the California Department of Parks and Recreation. Substantial funding partnerships necessary to carry out the program have also included the National Oceanographic and Atmospheric Administration, the U.S. Environmental Protection Agency, and the City and County of San Diego.

The coastal zone at the U.S./Mexican border remains a unique area both in terms of the rich assemblage of natural resources found there and its extraordinary level of environmental damage. Staff is working with a variety of interests upstream of the estuary, in the adjacent Tijuana River Valley, and in the 1,700-square-mile binational watershed to further provide for the protection of public trust resources in the coastal zone. The Tijuana River Valley Enhancement Plan approved by the Conservancy in 1998 targeted critical habitat areas for acquisition by San Diego County's Recreation and Park Department within the Tijuana River Valley Regional Park located just upstream of the estuary. FY 1998 and 1999 funds provided to the County to implement the plan have resulted in significant acquisitions and proposals for additional work to implement the plan are being developed for Conservancy review under the Prop. 13 Rivers and Parkways Program. Staff is also working with SWIA on the preliminary stages of an invasive plant control program for the Tijuana River Valley, work approved by

the Conservancy in May 2001. And importantly, staff is engaged with San Diego County and numerous U.S. and Mexican stakeholders in developing a scope of work for a Tijuana River Watershed Management Plan. Implementation of the Goat Canyon Enhancement Project and Conservancy staff and project support in each of these watershed arenas is essential to effecting environmental quality on the southernmost reach of the California coast.

PROJECT SUPPORT: The Goat Canyon Enhancement Project is supported by the 11-organization Management Authority of the Tijuana River National Estuarine Research Reserve and the 17 agencies of the Southern California Wetlands Recovery Project. Letters of support are attached as Exhibit 8.

**CONSISTENCY WITH
CONSERVANCY'S
ENABLING LEGISLATION:**

Pursuant to Public Resources Code Section 31251, the Conservancy may authorize funds for the purpose of enhancement of coastal resources which, “because of . . . improper location of improvements, natural or human-induced events, or incompatible land uses” have suffered loss of natural or scenic values.” The Goat Canyon Enhancement Project is consistent with Section 31251 in that it would address human-induced events that threaten coastal resources of the Tijuana River Estuary.

Consistent with Public Resources Code Section 31252, the City of San Diego’s certified Local Coastal Plan for the Goat Canyon area (Tijuana River Valley/Border Highlands Land Use Plan) designates Goat Canyon as a “Multi-Species Conservation Open Space” and its Multi-Species Conservation Plan (MSCP) Subarea Plan includes Specific Management Directives identifying public actions to resolve existing or potential resource protection problems.

Pursuant to Public Resources Code Section 31253, “the Conservancy may provide up to the total of the cost of any coastal resource enhancement project. . . . The total amount of funding provided by the Conservancy shall be determined by the total amount of funding available for coastal resource enhancement projects . . . the urgency of the project relative to other eligible . . . projects . . . and the application of other factors prescribed by the Conservancy for the purposes of determining project eligibility and priority. . . .” Funding recommended for construc-

tion of the Goat Canyon Enhancement Project is consistent with Section 31253 as project construction has been identified as a regional priority by the Southern California Wetlands Recovery Project and physical conditions at the site demonstrate the urgent need for action to address accelerating environmental losses.

Consistent with Public Resources Code Section 31258, the Goat Canyon Enhancement Plan shall be forwarded by staff to the Coastal Commission for determination of conformity with the policies and objectives of the Coastal Act (Public Resources Code Sections 30000 *et seq.*) pursuant to Section 30159(b).

CONSISTENCY WITH
CONSERVANCY'S
PROJECT SELECTION
CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, in the following respects:

Required Criteria

Promotion of the Conservancy's statutory programs and purposes: See the "Consistency with Conservancy's Enabling Legislation" section above.

Consistency with purposes of the funding source: The project will be funded with monies appropriated to the Conservancy for the Southern California Wetlands Recovery Project (Proposition 12) and with funds held in trust by the Conservancy under an agreement with the City of San Diego regarding City use of deed-restricted habitat lands in the Goat Canyon area. The project is consistent with these purposes.

Support from Public: See the "Project Support" section above.

Location: Goat Canyon Creek traverses the U.S./Mexico border approximately one mile inland from the Pacific Ocean within the coastal zone. The creek has a profound effect on the highly productive habitats of the south arm of Tijuana Estuary, a coastal area of regional and statewide significance.

Need: The Conservancy's unique ability to bring forth resources to resolve coastal conflicts for purposes of environmental protection and enhancement has been instrumental to addressing the rapid deterioration of coastal habitats at Goat Canyon. This funding leadership in the initial planning stage

and the Conservancy's substantial financial contribution to project implementation is instrumental to achieving project goals. The complex environmental planning problem has also required consistent coordination and technical expertise over a sustained period of time, a need ably provided by Conservancy staff working in concert with project partners, consultants, and regulatory staff.

Greater-than-local interest: The project area is located within the Tijuana River National Estuarine Research Reserve, an area having a diverse assemblage of wetland and upland habitat types and significant populations of rare, threatened, and endangered species. It has been recognized as a priority area for restoration by the Southern California Wetlands Recovery Project. Indeed the area's habitat lands are of international significance as the urbanization of the southern California/northern Baja California bioregion continues eliminating remnant coastal resources.

Additional Criteria

Realization of Prior Conservancy Goals: The Coastal Conservancy has been involved in resource protection, enhancement, and restoration projects in Tijuana Estuary for two decades including construction of significant intertidal wetland restoration projects, the Oneonta Tidal Linkage (1997) and the Model Marsh (2000). Implementation of the Goat Canyon Enhancement Project will contribute to the protection of the 500-acre Friendship Marsh restoration identified in 1992 and dedicated in 2000, fulfilling a longstanding Conservancy goal.

Cooperation: The Goat Canyon Enhancement Project and the Tijuana Estuary Tidal Restoration Program that it supports is a unique cooperative effort involving a small community-based nonprofit organization and local, state and federal interests to achieve environmental protection and restoration of habitats.

Leverage: Conservancy funds and staff services have been used effectively to leverage financial contributions from partner organizations to achieve a longstanding Conservancy goal.

Cooperation: The magnitude and fast pace of habitat losses in the Goat Canyon area and the great potential for restoration and enhancement has galvanized public agencies and concerned organizations to work cooperatively. The dynamic nature of the area and the presence of numerous rare, threatened, and endangered species requires that the cooperation that has

heretofore characterized the project continue to a successful implementation.

CONSISTENCY WITH

THE COASTAL ACT: The project is consistent with Section 30231 of the Coastal Act that states that “the biological productivity and the quality of coastal waters, streams . . . [and] estuaries . . . appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored. . . .” Sediment management at Goat Canyon has been identified as key to maintaining existing habitats and restoring degraded ones within the south arm of Tijuana Estuary.

CONSISTENCY WITH

LOCAL COASTAL

PROGRAM POLICIES: The City of San Diego’s certified Local Coastal Plan for the Goat Canyon area (Tijuana River Valley/Border Highlands Land Use Plan) designates Goat Canyon as “Multi-Species Conservation Open Space.” Goat Canyon lies within the City of San Diego’s Multiple Habitat Preservation Area. The project is consistent with the Multiple Species Conservation Plan (MSCP) in that it addresses progressive deterioration of critical habitats resulting from flash floods and sediment deposition.

COMPLIANCE

WITH CEQA: In accordance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), an Environmental Impact Report/Environmental Impact Statement (EIR/EIS) was prepared by California Department of Parks and Recreation (DPR) and the National Oceanographic and Atmospheric Administration (NOAA) as lead agencies for the Goat Canyon Enhancement Project. The EIR/EIS analyzes the potential adverse environmental impacts of the project. DPR certified and approved the EIR/EIS on January 16, 2002 and adopted the Mitigation Monitoring and Reporting Program (MMRP) contained within the EIR/EIS for the project. DPR’s certification, approval, and findings and its Notice of Determination are attached as Exhibit 7 to this staff recommendation.

DPR circulated the draft EIR/EIS for public and agency review and comment for 45 days. The comment period ended November 26, 2001. Comments were received from seven public agencies and five local organizations. The Final EIR/EIS includes all comments and responses to comments (see Exhibit 6, EIR/EIS, Appendix D.).

The EIR/EIS discusses potential significant impacts from the project in the areas of water quality, biological resources, cultural resources, air resources, noise, recreational resources, and public access. Changes or alterations in the project have been incorporated to avoid, substantially lessen, or mitigate these effects safely (see Exhibit 6, EIR/EIS Table 1, pp. S30–S37, MMRP, pp. 178-185, and Comments and Responses, Appendix D).

Significant biological impacts at the 38-acre site consist of 8.03 acres of existing upland and wetland habitat that will be mitigated according to federal, state and City of San Diego guidelines, generally at a 3:1 mitigation ratio. DPR's adopted MMRP outlines a plan for establishing the specific habitat types impacted and includes extensive post-construction monitoring of the habitat development program. Habitat mitigation will occur on public land in the immediate vicinity of the project. Impacts to the endangered least Bell's vireo, including noise impacts deemed significant, are avoided by the site selected for the sediment management basins and by a restricted construction season (see Project Description, pp. A-7 and A-8).

The finding of potential significant cultural impacts involves the discovery of three prehistoric cultural sites in the project area. The project avoids direct impacts to known sites. However, DPR will prepare a discovery plan, perform construction monitoring, and if appropriate, conduct recovery efforts according to CEQA and National Historic Preservation Act guidelines if additional prehistoric artifacts are discovered during construction.

Specific project design features and construction techniques reduce potential water quality, air resources, and public safety impacts to a level of insignificance. Recreational impacts involve temporary restrictions in access resulting from construction activity. DPR's regular assessment of the need for access restrictions during the construction period, traffic controls in the project area and advance noticing of access interruptions will reduce potential impacts to recreation to a level of insignificance.

Conservancy staff has reviewed the Final EIR/EIS and recommends that the Conservancy, as a responsible agency under CEQA, find that the Final EIR/EIS contains substantial evidence that in the identified areas of impact on biological resources, cultural resources and noise, changes or alterations to the project avoid, reduce, or mitigate the significant impacts to a level of insignificance. On this basis, Conservancy staff recommends that the Conservancy approve the project, as miti-

gated in the EIR/EIS. Upon approval, staff will file a Notice of Determination for the project.

EXHIBIT 5

Goat Canyon – Cañon De Los Laureles Enhancement Plan

Distributed to Board Members only

EXHIBIT 6

Goat Canyon Enhancement Project

Environmental Impact Statement/Environmental Impact Report

Distributed to Board Members only

EXHIBIT 7

Department of Parks and Recreation

Notice of Determination/CEQA Findings

(Draft copies. Signature copies to be provided at Board Meeting.)

EXHIBIT 8

Letters of Support